

REMARKS

Claims 1 - 39 are pending in the present application.

Applicant notes with appreciation that in section 6 of the Office Action the Examiner indicates that claims 4, 17 and 30 would be allowable if rewritten in independent form. However, Applicant believes that all of the claims are currently in condition for allowance and, therefore, placing the aforementioned claims into independent form does not appear to be necessary.

Section 2 of the Office Action objects to the disclosure on the basis that the disclosure contains an embedded hyperlink and/or other form of browser-executable code. The specification identified several uniform resource locators (URLs) for Internet websites that provide background information on topics such as Extensible Markup Language. The URLs were not intended as either hyperlinks or other forms of browser-executable code. Nevertheless, Applicant has deleted the URLs. Withdrawal of the objection is respectfully requested.

In section 3 of the Office Action, claims 1, 14 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. More specifically, the Office Action indicates that the Examiner could not find any description as to the meaning of "generating a search engine". Applicant wishes for the Examiner to note that the concept of "generating a search engine" is described at page 9, line 6 et seq. Nevertheless, claims 1, 14 and 27 no longer include the recital of "generating a search engine". As such, the section 112 rejection is rendered moot. Withdrawal of the section 112 rejection is respectfully solicited.

In section 4 of the Office Action, claims 1 – 3, 5 – 16, 18 – 29 and 31 - 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over an article by Shah et al. entitled "Logical Information Modeling of Web-Accessible Heterogeneous Digital Assets", (hereinafter "the Shah et al. article") in view of U.S. Patent No. 6,311,194 to Sheth et al.

(hereinafter “the Sheth et al. patent”). This set of claims contains three independent claims, namely claims 1, 14 and 27. Applicant is clarifying an aspect of claims 1, 14 and 27 that is neither described nor suggested by either of the Shah et al. article or the Sheth et al. patent.

Claim 1 provides for a computer-implemented method of creating a custom database. The method includes, *inter alia*, receiving a system description of a structure of (a) the custom database, and (b) an object, and generating program code based on the system description. The program code includes a module that, when executed, stores the object in the custom database.

The Shah et al. article is directed to correlating information relating to web-based media (Abstract). Applicant’s copy of the Shah et al. article does not contain page numbers, but Applicant is designating, as page 266, the page having the Abstract. The article describes an MREF as a representation of an information request that would be processed when a page that embeds the MREF is viewed (page 266, col. 2, paragraph beginning continued from col. 1), and describes MREF processing in the context of an InfoQuilt system (Page 270, col. 2, paragraph being continued from col. 1).

The Shah et al. article, page 268, col. 2, par. 1, with reference to FIG. 1, states that MREF representations are stored, and on page 272, in col. 2, 2nd paragraph from bottom, states that the MREF can be constructed dynamically by a user query interface. However, neither of these passages discloses **generating program code**. Moreover, Applicant has not found any passage in the Shah et al. article that discloses generating program code based on a system description, much less generating program code **that includes a module that, when executed, stores an object in a custom database**, as recited in claim 1.

Additionally, the InfoQuilt system is apparently a preferred, and possibly required, environment for the technique described in the Shah et al. article. For example, section 5 of the article, beginning on page 273, presents several alternative search technologies, yet

on page 274, col. 2, paragraph beginning with the phrase “Key distinctions”, the article emphasizes distinctions and purported advantages of the InfoQuilt system. Thus, the Shah et al. article discloses (1) that an MREF is a representation of information for facilitating a search, and (2) use of MREFs in an existing search architecture (i.e., InfoQuilt). Applicant respectfully submits that **since InfoQuilt exists**, and is not described as being generated by the system in the Shah et al. article, there is **no disclosure of generating program code**. Moreover, since MREFs are used in the context of InfoQuilt, since InfoQuilt exists, and since InfoQuilt is described as being advantageous over other technologies, the Shah et al. article **does not provide any motive for** generating program code that includes a module that, when executed, stores an object in a custom database, as recited in claim 1.

The Sheth et al. patent is directed toward a system and method for creating a database of metadata (Abstract). FIG. 5 of the Sheth et al. patent shows a process during which metadata is discovered and inserted into a database (col. 10, lines 7 – 9). The modules represented in FIG. 5 apparently exist, and consequently, are **not described as being generated**. Furthermore, whereas the processes of FIG. 5 apparently exist, there is **no motive** for generating program code that stores an object. Therefore, Applicant respectfully submits that the Sheth et al. patent does not disclose **generating program code** that includes a module that, when executed, stores an object in a custom database, as recited in claim 1.

For the several reasons provided above, Applicant submits that the Shah et al. article and the Sheth et al. patent, whether considered independently or in combination with one another, neither describe nor suggest all of the elements of claim 1. Thus, claim 1 is patentable over this cited combination of references.

Independent claims 14 and 27 each include a recital similar to that of claim 1, as described above. Thus, for reasoning similar to that provided above in support of claim 1, claims 14 and 27 are also patentable over the Shah et al. article and the Sheth et al. patent.

Claims 2, 3, and 5 – 13 depend from claim 1, claims 15, 16 and 18 – 26 depend from claim 14, and claims 28, 29 and 31 – 39 depend from claim 27. By virtue of these dependencies, claims 2, 3, 5 – 13, 15, 16, 18 – 26, 28, 29 and 31 – 39 are all patentable over the Shah et al. article and the Sheth et al. patent.

Applicant respectfully requests reconsideration and withdrawal of the section 103(a) rejection of claims 1 – 3, 5 – 16, 18 – 29 and 31 – 39 as being unpatentable over the Shah et al. article and the Sheth et al. patent.

In section 5 of the Office Action, claims 1 – 3, 5 – 16, 18 – 29 and 31 – 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,343,297 to D'Anjou et al. (hereinafter "the D'Anjou et al. patent"). However, the Office Action does not suggest, and Applicant has not found, that the D'Anjou et al. patent includes any disclosure of generating program code. Consequently, the D'Anjou et al. and Sheth et al. patents, whether considered independently or in combination with one another, neither describe or suggest **generating program code** based on a system description, wherein the program code includes **a module that, when executed, stores an object in a custom database**, as recited in claim 1.

As noted above, independent claims 14 and 27 each include a recital similar to that of claim 1. Thus, claims 1, 17 and 27, as well as their respective dependent claims, are all patentable over the cited combination of the D'Anjou et al. and Sheth et al. patents.

Applicant respectfully requests reconsideration and withdrawal of the section 103(a) rejection of claims 1 – 3, 5 – 16, 18 – 29 and 31 – 39 as being unpatentable over the combination of the D'Anjou et al. and Sheth et al. patents.

Applicant amended independent claims 1, 14 and 27 to clarify an aspect of these claims that is neither described nor suggested by the references. The dependent claims are amended for consistency with the independent claims. Additionally, Applicant

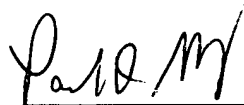
amended claims 13, 26 and 39 to recite the phrase "object-oriented language" instead of "Java". None of the amendments is intended to limit the scope of any term of any claim. As such, the doctrine of equivalents should be available for all of the terms of all of the claims.

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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Date



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